

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

THOMAS C. and PAMELA McINTOSH

PLAINTIFFS

V.

CIVIL ACTION NO.1:06CV1080 LTS-RHW

STATE FARM FIRE and CASUALTY COMPANY, and
FORENSIC ANALYSIS & ENGINEERING CO., and
E. A. RENFROE & COMPANY, INC.

DEFENDANTS

ORDER GRANTING PARTIAL SUMMARY JUDGMENT

____ In accordance with the Memorandum Opinion I have this day signed, it is hereby

ORDERED

That the motion [801] of E. A. Renfroe & Company, Inc. for summary judgment is **GRANTED IN PART** and **DENIED IN PART**; the motion is granted as to the plaintiffs' claim of "aiding and abetting" State Farm in the commission of fraud; the motion is granted as to the plaintiffs' claim for breach of "a duty of undivided loyalty"; and the motion is denied in all other respects; and

That the motion [802] of State Farm Fire & Casualty Company for partial summary judgment on the plaintiffs' claim of fraud is hereby **GRANTED**.

SO ORDERED this 21st day of April, 2008.

s/ L. T. Senter, Jr.
L. T. SENTER, JR.
SENIOR JUDGE